

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

RONG DING,

Plaintiff,

-against-

CONTINENTAL AIRLINES, INC.,

Defendant.

Civil Action No. 07-CIV-9873
(Rakoff, J. (Freeman, M.J.)

NOTICE OF REMOVAL
PURSUANT TO
28 U.S.C. §§ 1441 and 1332

-----X

Defendant CONTINENTAL AIRLINES, INC. ("Continental"), by its attorneys, McKeegan & Shearer, P.C., hereby removes this action to the United States District Court for the Southern District of New York pursuant to 28 U.S.C. §§ 1441 and 1332.

1. Plaintiff served the Summons and Verified Complaint in this action against Continental on or about October 26, 2007. A copy of the Summons and Verified Complaint are annexed hereto as Exhibit "A." Upon information and belief, the Verified Complaint was the first pleading served in the action. No further proceedings have been had in the action.

2. Upon information and belief, plaintiff was and still is, for diversity and removal jurisdiction purposes, a citizen and resident of the State of New York.

3. At the time of the alleged service of the Summons and Verified Complaint, Continental was and is incorporated under and pursuant to the laws of the State of Delaware, was and is authorized to do business in the State of New York and has a principal place of business in Houston, Texas.

4. The above-described action is one in which this Court has original jurisdiction under the provisions of 28 U.S.C., Section 1332, and which may be removed to this Court by defendant Continental herein pursuant to the provisions of 28 U.S.C., Section 1441 because it is a civil action wherein the matter in controversy allegedly exceeds the sum or value of \$75,000.00, exclusive of interests and costs, and is between out-of-state citizens.

5. This is a civil action brought in a state court of which the district court of the United States has original jurisdiction.

6. Continental will pay all costs and disbursements accrued by reason of this removal proceeding should it be determined that this case is not removable or is improperly removed.

WHEREFORE, defendant CONTINENTAL AIRLINES, INC. respectfully submits that this notice complies with the statutory removal requirements and that this action should proceed in this Court as a properly removed action and that petitioner have such other and further relief as this Court may deem just and proper.

Dated: New York, New York
November 5, 2007

McKEEGAN & SHEARER, P.C.

By /s/
George P. McKeegan (GPM 8602)
(A Shareholder of the Firm)
Attorneys for Defendant
192 Lexington Avenue
New York, New York 10016
(212) 661-4200

TO: RICK J. RUTMAN, ESQ.
POPICK, RUTMAN & JAW
Attorneys for Plaintiff
276 Fifth Avenue, Suite 704
New York, New York 10001
(212) 213-3676